

REMARKS

Entry of the foregoing and reexamination and reconsideration of the restriction/election requirement and examination of all of the claims of the subject application, as amended, pursuant to and consistent with 37 C.F.R. §1.112, are respectfully requested in light of the remarks which follow.

Claims 1-25 are now in this application. Claims 2-17 have been amended to specify that the subject methods are for carrying out the indicated treatments by inhibiting NO-synthase, consistent with Claim 1. Claim 20, drawn to a cosmetic method for treating a disorder associated with NO-synthase, has been amended such that the effective amount applied is specified as an effective NO-synthase inhibiting amount, which is also consistent with Claim 1. Composition Claim 21 has been amended in the same way. New Claims 24 and 25 are drawn to the method of Claim 15, wherein the amount of N,N'-bis(2-pyridyl)methyl-N,N'-bis(3,4,5-trimethoxybenzyl)ethylenediamine is specified as in Claims 18 and 19. Clearly, no new matter has been introduced by these amendments.

With respect to the informality of paragraph [0002] on page 1 of the specification, the Examiner will note that the missing information has been provided in the foregoing Amendment to the Specification.

Insofar as concerns PCT/FR02/02064, of which the present application is a continuation, the Examiner has requested an English translation to confirm that the present application is entitled to the benefit of the filing date. Applicant's understanding is that such a translation is not required unless applicant needs to antedate a reference, and no reference requiring antedating has been cited.

Nevertheless, applicant is submitting an English translation of PCT/FR02/02064 herewith, in the hope that this will expedite prosecution.

As for an English translation of the French priority document, such is likewise not required unless a reference has been cited which applicant wants to antedate and no such reference has been cited herein. In the case of the French priority document, an English translation is not available to the undersigned at this time and therefore is not submitted. Applicant of course reserves the right to file an English translation of her French priority document if a reference is cited which she wishes to antedate.

Turning to the restriction requirement, the Examiner has required election of a single invention from the following:

Group I, Claims 2 and 3, drawn to a method as specified;

Group II, Claims 4 and 5, drawn to a method as specified;

Group III, Claim 6, drawn to a method as specified;

Group IV, Claim 7, drawn to a method as specified;

Group V, Claim 8, drawn to a method as specified;

Group VI, Claims 9, 10, 12 and 13, drawn to a method as specified;

Group VII, Claim 11, drawn to a method as specified;

Group VIII, Claim 14, drawn to a method as specified;

Group IX, Claim 15, drawn to a method as specified;

Group X, Claim 16, drawn to a method as specified;

Group XI, Claim 17, drawn to a method as specified; and

Group XII, Claims 20-23, directed to a composition as specified.

In addition, Claims 1 and 18-19 are identified as linking Groups I-XI.

Initially, it is respectfully pointed out that the inclusion of Claim 20 in Group XII is incorrect because Claim 20 is drawn to a method, i.e. a cosmetic regime or regimen. Claim 1 also links this method to the other methods as it is generic to the method of Claim 20 as it is to the other method claims.

In response to the requirement for restriction, applicant hereby elects, with traverse, Group IX, drawn to a method, i.e. a regime or regimen, for inhibiting NO-synthase and thus inhibiting melanogenesis induced by UV-A and/or UVB radiation and/or treating a hypermelanosis disorder. Claims 15, 24 and 25 read on the elected Group IX invention.

Nevertheless, the restriction requirement is traversed. All method claims are limited to administering or applying one specific compound, N,N'-bis(2-pyridyl)methyl-N,N'-bis(3,4,5-trimethoxybenzyl)ethylenediamine, in an effective NO-synthase inhibiting amount. The method as claimed can only be accomplished by the specified single compound, not by some other active agent or some other means. The conditions being treated in the method claims are all reflections of this particular compound's ability to inhibit NO-synthase, a property which applicant has discovered. The claimed compositions moreover must all contain this single compound as the active agent and it must be present in a NO-synthase inhibiting amount. The invention of EP 0 755 925, that is, protection against oxidative stress, is a reflection of this compound's anti-oxidant activity, not of its NO-synthase inhibiting activity. Applicant's method claims require that this compound function as an NO-synthase inhibitor. Moreover, the use of a single compound in related methods is not believed to be unduly burdensome for the

Examiner. Reconsideration and withdrawal of the restriction requirement, especially among the method claims, is respectfully urged.

The Examiner has also required election of species in the event of election of Group I or Group XII. As neither of these groups has been elected, no election of species has been made.

An Information Disclosure Statement is being filed herewith.

Respectfully submitted,

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